



16 SEP 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

MORGAN & FINNEGAN, LLP
345 Park Avenue
New York, NY 10154

In re Application of
DENTON, Richard Rex *et al*
U.S. Application No.: 10/019,593
Filing Date: 26 December 2001
Attorney Docket No.: 2458-4042US6
For: METHODS FOR OBTAINING AND
USING HAPLOTYPE DATA

DECISION

Petition Under 37 CFR 1.182

This decision is in response to applicants' petition filed via facsimile on 26 March 2002 and again on 27 June 2002 requesting to convert the above-captioned national stage application to an application pursuant to 35 U.S.C. 111(a) which is treated as a petition under 37 CFR 1.182 and is hereby **GRANTED**.

Applicants originally submitted this application as a national stage filing pursuant to 35 U.S.C. 371 of international application PCT/US00/17540 on 21 December 2001 which included a copy of the international application and a preliminary amendment. However, applicants filed five separate national stage applications of the aforementioned international application.

As stated in the decision mailed 14 June 2002, this is not permitted. A proper response would be to file a petition pursuant to 37 CFR 1.182. Accordingly, applicants request that the above-identified application be treated as an application under 35 U.S.C. 111(a) pursuant to 37 CFR 1.182 which has been accorded.

The fee for the basic national fee of \$1,040.00 (Fee Code 960) has been changed to a basic filing fee for a utility application of \$740.00 (Fee Code 101). After deducting the \$130.00 petition fee, the difference of \$170.00 has been credited to Deposit Account No. 13-4500 as authorized.

Any period of adjustment to the term of a patent under 35 U.S.C. 154(b)(May 29, 2000) may be reduced by the period of time beginning on the filing date accorded under 35 U.S.C. 11 and ending on the mailing date of this decision. See 37 CFR 1.704(a).

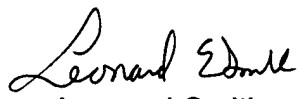
Request to Expressly Abandon the Application

Applicants' request for express abandonment under 37 CFR 1.138 filed via facsimile on 28 June 2002 is **DISMISSED** without prejudice.

Applicants submitted a "Declaration of Express Abandonment Under 37 C.F.R. §1.138" via facsimile on 28 June 2002 signed by Mr. James P. Demers requesting to "expressly abandon the above-identified application. However, a power of attorney signed by each of the listed applicants according Mr. Demers the authority required in 37 CFR 1.138 is not located in the above-captioned application.

Therefore, the request to expressly abandon the above-captioned application pursuant to 37 CFR 1.138 cannot be granted at this time.

This application is being forwarded to the Office of Initial Patent Examination for further processing under 35 U.S.C. 111(a) with a filing date of 26 December 2001.


Leonard Smith
PCT Legal Examiner
PCT Legal Office


James Thomson
Attorney Advisor
PCT Legal Office

Tel.: (703) 308-6457